

2026-03-19 at 085900 260319-BC-COG

Speaker 1

I think I need to apologize, um Shelly. I don't think I RSVP'd that I was gonna attend.

Speaker 2

Oh, uh I I can't remember if you did or didn't.

Speaker 1

I can't either button here.

Speaker 2

I don't know. I think you did actually.

Speaker 1

Okay.

Speaker 2

Great. Because I think normally I follow up with normally I follow up with people who haven't. So you weren't on my follow-up list.

Speaker 1

Do we have a quorum today, do you think?

Speaker 2

Uh bare quorum of five.

Speaker 1

Ah.

Speaker 2

No vice chair. So um the meeting will be started by corporation council.

Speaker 3

Okay.

Speaker 2

The second Thursday, April is April. Yeah, right around the corner again, because this meeting was pushed Okay.

Speaker 4

So the agenda has to be in by the thirtieth.

Speaker 2

The two news uh the agenda posting is on the third, but I need to have it to to OEB by next

Friday already.

Speaker 4

The 27th place. Okay.

Speaker 2

Woo. We turn around. It's it's hard. Um yeah. Hopefully we'll get back on track after this. Well it'll be a long stretch because of me First is the Friday, so to meet the meeting until 14th.

Speaker 3

That's what I believe. Unless they want to have it earlier.

Speaker 2

Oh my gosh, I can't hear my my turn my phone my I turned the sound down because of this and I didn't hear that. I didn't see that sound just when we get on. Oh my bad. I can't have you know, I can't have the um reverberations. Morning.

Speaker 5

Morning.

Speaker 2

We are still waiting for one member and corporation council.

Speaker 3

Okay, that's fine.

Speaker 2

I'll start texting people.

Speaker 3

Yeah.

Speaker 2

Oh, there's one, but not a member. Lee, can you try your mic and make sure we can hear you?

Speaker 1

Perfect. Thank you.

Speaker 5

Okay. So we're waiting on one more person to call.

Speaker 2

We're waiting on Dylan. He just sent me a message saying he's about to um Well done.

Speaker 5

Thanks.

Speaker 2

volume up just click on the bottom no next one the right to the right Yeah. Oh and it'll just talk to me a couple more.

Speaker 4

I've tried I've tried so many times to like figure out how to increase the volume on this thing. Yeah So that's the system volume. And then there's also a volume on the app

Speaker 3

Yeah. Yeah, that's great. I don't think there's like an external speaker on the top either way. So it's just the speaker.

Speaker 2

Water. Yeah, there's nothing connected to it.

Speaker 3

It's interesting.

Speaker 2

Everybody has to learn on 20 through it to get to the work. They have no idea what the issue is.

Speaker 5

Okay, looks like we have just enough to make Barrett Forum. Uh so hello everyone. Uh since Perhaps the government commission doesn't have um its chair or vice chair, I will be uh presiding over the beginning of this meeting.

Speaker 6

uh just long enough to get us to the uh election of the officers.

Speaker 5

And uh if it's all right with everyone, I'm I'm gonna move that to the beginning so that we can get that uh established uh before and they can take over at that point.

Speaker 6

Uh so to begin with uh I'm gonna take roll call.

Speaker 5

So if you could just uh state who you are and if you are uh virtual, if anyone's in the room with you. Um so Commissioner Andrion

Speaker 7

President, so sorry for my tardiness joining from my residence in Kahaloui, and my wife is in the room with me.

Speaker 5

Uh Commissioner uh Gusan Zarson

Speaker 8

Joining here from Kehe at my home. Um I'm alone. Uh Commissioner Moore.

Speaker 1

Good morning. I'm here at my home. Um my husband's out working out on the alumni.

Speaker 5

Uh Mr. Chamberlain. Uh I think yeah I moved uh mute uh Commissioner Chamberlain. Still see what they have here.

Speaker 9

Okay, sorry. Push the wrong button. Um I'm here in my residence by myself. Thank you.

Speaker 5

Uh Mr. Stalin

Speaker 4

Well, good morning, president in the conference room.

Speaker 5

And Commissioners uh Cerizo and uh Vice Chair Dexter are um not in attendance. Okay, so like I mentioned before, uh without objection, I'd like to move the election of the officers to this point in the meeting. Uh any does anyone have any objection to that? All right, seeing none, we will move forward on that. Um checking if there's anyone who would like to testify on this matter before we begin. All right, uh seeing none, uh we will begin with the election of uh the chair. So does anyone have any nominations for chair?

Speaker 7

I'd like to nominate Commissioner Gusens Larsen for Chair of the Commission.

Speaker 5

All right. Uh we have a nomination. So we have a second to that nomination.

Speaker 1

I'll second nomination.

Speaker 5

Okay, we have a second. So nominated by Commissioner Andrea and second in place by Commissioner Moore. Discussion.

Speaker 8

I'd be very happy to uh step up in that role at the same time. Um opening to anyone else that is feeling passionate about being in this role. Um so um Appreciate the nominations and if that's what we like to do, I'll I will definitely um step into that role. Um but again, mentioning that I don't want to step on anyone's toes with that either.

Speaker 5

All right, uh any other discussion? All right, seeing none, um taking the vote. Uh all in favor of circulations license uh Taking over as chair, uh please uh raise your hands.

Speaker 1

Aye.

Speaker 5

Okay, it looks like uh everyone raised their hands except for Commissioner Houston's Larsons. Uh so that

Speaker 8

I'm abstaining on yeah, I just don't want to vote for myself.

Speaker 5

So I don't know because we're at their forum

Speaker 8

So then I'll vote yes. Yeah.

Speaker 5

Okay. So uh looking at right as we have a uh Everyone uh who is in attendance uh has unanimously voted for Commissioner Lucian Varsons. Uh it looks like Uh you are now uh chair of some lessons and I will turn over uh presiding over the meeting to you.

Speaker 8

All right. Um I'll pull up the agenda here. So we did um we did agenda item one and two and then um I'm sorry, I'm like pulling up the document here. Uh roll call then confirmation of agenda is next, I assume. So I would think like um election of commission vice chair. for um the 2026-2027 commission term is an item that uh we have countered as eighth that I suggest pulling up as well um to this as of the next item uh before we move to confirmation of agenda and public testimony is there any issues with that

Speaker 7

No objection.

Speaker 8

Excuse me, Chair.

Speaker 2

Excuse me, Mrs. Shelley. I was just getting public testimony on on the uh these I these uh items On the chair, yeah. I don't know if there's public testimony on the chair, uh, but also for that and the vice chair collection.

Speaker 7

We took it for the chair, but so we just need to do it for the vice chair. Which I don't I don't think.

Speaker 8

All right, so then um any public testimony on um election of a vice chair?

Speaker 2

There's no one here to testify.

Speaker 8

Any comments in the room here in the commission?

Speaker 2

Oh, there's no one else online either.

Speaker 7

Yes, who's not going to be able to do that? So is the nominations in discussion now? Uh-uh. Right. Chair, do you have a inclination of who you would want to maybe have as a vice chair working with you?

Speaker 8

Open to volunteers.

Speaker 7

Do we need a motion on the table to discuss this or we can just openly discuss together. Uh Nunukawa or anyone. Commissioner Moore has her hand raised.

Speaker 8

Commissioner Maher.

Speaker 1

Thank you. I would like to go ahead and nominate uh Commissioner Dexter. He's been the vice chair for a while now, and I think he's done a really good job. And if um he's not here, so we can't say necessarily no, but I think uh I would like to nominate him to be the vice chair. Thank you.

Speaker 8

Anyone else? Any comments, sir? Yeah the guy uh uh commissioner still in the I'm not sure you wanna uh nominate someone that's not here with their you know

Speaker 4

With their blessing, you know, I think you want to vote somebody into a position if they would prefer not to be in that position

Speaker 8

Is there room is there appetite around the table here to um bump this issue to our next meeting.

Do we need the election for the vice chair to be completed as part of this cycle? And so maybe a question for council.

Speaker 5

Uh if if the body would prefer you could defer it to uh meeting.

Speaker 6

You don't necessarily need to it uh have it meeting, but uh you you should get it done. Um oh uh Shelly, did you want to say something?

Speaker 2

I'll wait till you're you're you're done.

Speaker 6

Uh but but we do want want to get that done uh sooner rather than later because um We we want someone being able to jump in rather than needing to elect a um temporary chair if in case uh you can't make it to meetings, uh Commissioner Gusam uh Chair Gibson Laws.

Speaker 8

Yeah, I'm just responding to the absence of the one individual that was nominated, unless there's any other nominations here that anyone wants to bring forth.

Speaker 2

Uh this is Shelly uh Pellegrino. I just wanted to know I I did reach out to Vice Chair Dexter. with this question about whether he had one would like to serve as either the uh chair or vice chair. anticipating this and he said uh he would be willing to continue serving as vice chair. He was not um you know he was unable to serve as chair. I don't know if that's sufficient but that was the information that he provided me.

Speaker 8

Commissioner Spohen, are you comfortable with with that for Shelley's statement? It's interesting to nominate someone that isn't in the room, but if that's been the um Conversation. Uh go ahead, uh Commissioner Andrian.

Speaker 7

No, I'll just to give some precedence. I mean I've been about a board elections where person was in attendance, but they did verbally communicate or communicate over a text that they would at least be willing to accept the nomination that's always a key factor is the nominee should you know accept the nomination so i think if he's communicated that to shelly um i'll second the motion i don't think there was a second to it And we can move forward with a confirmation here.

Speaker 8

Correct. So then sorry to bear with me, I haven't done this before, but do I just then now um Uh

ask for anyone to vote in favor of nominating Commissioner Dexter, is that what we're doing next?

Speaker 4

Typically you ask the person who initiated the motion to speak, and then you would ask the person who seconded the motion to speak, and then you would ask if there was any general. Okay.

Speaker 1

So no further discussion on my end, thank you.

Speaker 7

Sorry, you're on me. Same here. Can we just get from our technical writer or counsel what is the term for both of these positions? Is it just a year?

Speaker 2

Yes, this one is the full full term year, so April 1st to March 31st.

Speaker 7

Okay, very good. Ready for the vote.

Speaker 8

Any other comments in the room before we move to the vote? Go ahead, um Commissioner Chamberlain.

Speaker 9

Yeah, I I want to complicate this thing, but I was wondering if um I'd like you to go ahead and nominate Commissioner Adrian there as a vice chair.

Speaker 8

Any second on Commissioner Andrew?

Speaker 7

Well, um I would accept the nomination, but because there's a Only because I'm very familiar with how to run a board meeting. But because there's for example, since there is a motion on the table, we cannot in fact jump to my nomination. We have to take up Commissioner Ch uh Vice Chair Dexter's nomination first. So if this motion fails, then I would be inclined to yeah, accept the nomination if it if this motion fails.

Speaker 8

Um So then let's move forward with the vote on Commissioner Dexter's nomination. Um with that piece of information in mind. All right. So all those in favor, raise your hand and say aye. All those uh do I also um ask all those against

Speaker 2

I would I would suggest taking a roll call.

Speaker 8

What is roll call?

Speaker 2

Just uh roll call. I can call everybody's name. Okay, uh Commissioner Andrian. Uh Commissioner Chamberlain. Commissioner uh Sharon, I'm not sure what you are at the moment. Sorry, commit uh Commissioner Gusten Tharson.

Speaker 8

Abstain.

Speaker 2

Commissioner Moore. Aye. Oh, Commissioner Spillman. Aye. So you have three ayes and two abstentions.

Speaker 1

Point of order. Point of order. Everybody's in the new point. Yeah. Can I just say point of order, Chair?

Speaker 8

Yes.

Speaker 1

Because we have a bare minimum, everyone has to vote. Um abstaining is not an option. Then you just move on to, you know, tabling it, then you go on or This not being completed. And if somebody wants to nominate someone else, that's fine. But in this case, because we have a bare quorum, if we want to get something done today, everyone needs to vote. You can't stain.

Speaker 4

Well, I think that's a good thing. If you want to if you're trying to encourage people to vote, that's one thing, but technically you can't prevent someone from abstaining from the vote simply because there's only five out of nine of us present

Speaker 1

True, true. Then nothing happens. That's what I'm saying. Nothing will happen.

Speaker 7

Well, for example, and I'm not required to do this, but I'm abstaining from my vote. Right, because I'm aware of Commissioner Chamberlain also nominating me. And I previously said if this motion failed, then his nomination would be able to be put up and I would be inclined toward um his motion as well, which is why I abstained from this one.

Speaker 8

Can we move from this point with these votes to um The uh it it won once a a a second is um I I I can't I frankly I have a such a hard time with this way of operating. This is not how anyone runs a meeting, frankly. So we don't have the votes for um Commissioner Dexter. I also voted no. I voted I abstained because I I I have a I would like to second nominating uh Commissioner Andrian uh as a vice chair. So I'd like to move forward with voting for Commissioner Andrew, and I don't know how to achieve that in a normal human interaction way here.

Speaker 7

So Commissioner made them oh someone in the room has their, sorry

Speaker 8

Go ahead. Yeah.

Speaker 7

Um this is Lanceuchi coming up.

Speaker 10

May I make a suggestion to kind of speed this along? Because you're not gonna have enough votes if uh Commissioner Andrew abstains again. Maybe what I would suggest you just defer this matter to the next meeting. You have it posted on your agenda. Take the vote at the next meeting

Speaker 7

Straight in. Um actually I I think we would have the votes. I I mean I I guess I'm sharing my vote, but I would be voting in favor. Like I said, I would be inclined to vote for myself. Um and at that point, Commissioner Gusens Larsons, if you would like for your uh a vice chair elect like myself to uh preside over this first meeting just to get us through um and you can uh you know observe that and then be more prepared for the next meeting. I'd be comfortable with that just because I'm I'm used to But running meetings like this. Yep.

Speaker 8

I like the motion to doing that. Um any seconds on this? I second it.

Speaker 1

A point of order. You had another motion on the floor before this, so we need to vote on that motion first.

Speaker 7

Right, so the motion on the floor is by nomination. Correct, Chair

Speaker 8

I didn't hear a second on that one. Was there a second on that? It was Commissioner Chamberlain. And then it would did we have a second on um Commissioner Andrian. Maybe it's happens. Wait, I I can second voting for com the vote for Commissioner Andrianne for Vice

Chair. Um do I then move now to voting for Commissioner Vice for Vice Chair?

Speaker 7

It would be discussion now, sure.

Speaker 8

Okay Any discussion on any any pu uh is there still need for public testimony or we did that already?

Speaker 7

We did it already.

Speaker 8

Yes, so then any discussion on before we move to the vote on Commissioner Andrian's nomination for vice chair, election of vice chair.

Speaker 7

Yeah, I'll be able to do that. And I think uh Commissioner Chamberlain and and you as the second are substall so give some opening remarks. But um I'm just willing to serve in this capacity. I hope I have have your confidence in this. You know, I the way I feel about Commissioner um uh our current vice chair is um he was just doing it to you know help help us with the role and fill the role um and that's his acceptance of it as well i don't think he would be opposed to me Stepping into service vice chair. I think my experience on multiple boards and commissions can help us just to get through the speediness of a meeting and the process of a meeting. So I'm just willing to do this. I'm not offended if you vote against me I'm just here to help our body move forward. Okay, that's it.

Speaker 8

I'll still make my comment as a a second as well, but any anything, Commissioner Chamberlain, that you want to share prior?

Speaker 9

Well, just in observation of this particular process right now, it's quite clear to me that Commissioner Adrian is a valuable asset, especially in leadership positions. So I don't see how you can possibly not go ahead and accept him as uh second in command here, you know. And so I propelled the idea that we move forward and and nominate uh Commissioner Adrian as vice chair.

Speaker 8

I'll make my comment as well. Thank you, Commissioner Chamberlain. I'll make my comment as well that I'm clearly going to need all the help I can get in this front on this front. I don't operate in this environment. uh typically uh so really appreciate that experience which is why I second and will um I'm in strong support. Um so with that do we move to votes? All right. Um all those in favor of electing Commissioner Andrian as Vice Chair, raise your hand and say aye. Aye. I got

a roll if we have so roll call. Um go ahead, Shelley. Okay.

Speaker 2

Uh Commissioner Andrian?

Speaker 5

Aye.

Speaker 2

Um Commissioner Chamberlain.

Speaker 8

Aye.

Speaker 2

Uh Commission or Chair Boost Larson?

Speaker 8

Aye.

Speaker 2

Commissioner Moore. No. Commissioner Stillman. Aye. Okay, the vote is four. Uh ayes one no and commission uh the um Um election fails.

Speaker 8

Fails. All right. With that, I motion to move the election of a commission vice chair to our next meeting, which is scheduled for When do we have our next meeting scheduled? Um April ninth. Okay. All those in favor. Raise your hand and say aye. Aye.

Speaker 1

Aye.

Speaker 8

Correct. All right. We have everyone in voting in favor to move to our next meeting. So that'll be one of our agenda items on April 9th.

Speaker 4

Just a just a comment. It isn't necessary to initiate motions for administrative functionality. You can kind of survey the group. And then ask if they want to do X without objection.

Speaker 8

Perfect.

Speaker 4

And if there is no objection, then you can proceed without having to go through the form of the voting process.

Speaker 8

Wonderful. All right. With that I'm going to move to our next agenda item, confirmation of our agenda. Any comments on the agenda before Before we move on to our next item. And I have our next agenda item is public testimony. Do you have anyone to publicly testify?

Speaker 2

No, there's no one here to testify.

Speaker 8

All right. Um our next agenda item is correspondence received. Did we receive any correspondence?

Speaker 2

Oh thank you. There's no correspondence at this time.

Speaker 8

Next we'll review and approve our February 26th meeting minutes. Any um comments on those minutes?

Speaker 7

No comments, motion to approve chair.

Speaker 8

Okay, um any seconds? Commissioner Spellman. All right. Any can I here just move? Is this an aye? This is a vote one, yeah? Is this correct? Okay. All those in favor to approve these minutes. Raise your hand and say aye. Aye.

Speaker 1

Aye.

Speaker 8

Aye. Anonymously approved. All right, so then we have um our two item of election items of election that we've moved up. So then The next item on the agenda is discussion of the 2025-2026 annual report. Commissioner Andrian, I was going to ask you to maybe Briefly talk us through you the the the materials are obviously there. Um any Anything that you want to highlight to the group here before we open it up for discussion by the others?

Speaker 7

Uh let me pull it up unless Shelley you're able to share your screen or something here. Yeah

Speaker 2

Um, I think everybody should. Do you want me to share the screen? I think everybody should have it.

Speaker 7

Okay. No, that's fine. I'll just pull it up. to no i don't have any further comments i try to capture our year as best as possible but of course if there's things you guys would like to add or subtract from that

Speaker 8

Okay, I'll maybe make a comment um here. I um if and then I'll open it up to the rest. So I think some of the Uh thank you for pulling this together. Um super helpful. I think this hopefully uh then takes care of our um annual task at the at the conclusion of this term. I do think some of the um wording around comprehensive study of the county boards and commissions, especially when we get to preliminary findings. I think we should refrain from sharing those. I think everything else is super helpful to outline in terms of We're having criteria, uh some of the uh the the the things that we're trying to achieve with it, the the fact that we've erected a TIG. Um is helpful. I I I do suggest um removing the findings um if there is if the um rest of the commission would agree with that um So with that, I want to maybe open it up for anyone else. So Deborah Moore, uh Commissioner Moore.

Speaker 1

Thank you. I would appreciate our technical writer to comment on this, please.

Speaker 2

Okay, thank you. Um discussions at the Oh when we were talking about the annual report a couple of meetings ago, one of the discussions was to maybe confine the report, you know, make it even smaller into essentially a letter because the commission had been working on one of project over the last year and you know it probably could be reduced to a letter just talking about membership and then maybe talking about the fact that we've been continuing on this process and that we're anticipating having a report you know in the in the near future but keeping it you know even more general than possibly commit um Chair Boose has Larson suggestions. So I would leave that up to the commission in terms of what approach they want to want to take.

Speaker 8

Any interviews here? So what would that look like that would look like that whole section on comprehensive study? I I I do think there's value in leaving a bit of a narrative on the work that was performed and what the scope of it is. So I'd be supportive of leaving that in there. I understand your point as well. Um Shelley on on wanting to keep it short. But I do want it to be, it's it since it goes in the record, I want to I I do think there's value reflecting what what this commission has done. Commissioner Moore.

Speaker 1

Thank you. Shelley, were you finished? Did you have any other comments?

Speaker 2

No, I'm I I I mean I agree in terms of You know, just discussing the report, at least in you know,

in in the past we've talked about the scope and definitely the commissions that are being reviewed and maybe even the framework. So It's kind of similar to to what's been said, but just even making it more of an erative if um if that helps

Speaker 1

Right. Um, if I may, then um looking back on the previous year's reports, we did have a more compressed uh report Not a lot of detail, but you're right. I think there are highlights that we need to make sure we have in this report, but I agree that I think we need to scale it back a bit.

Speaker 8

Yeah. Um maybe a question here to technical writer or anyone else. Commissioner Moore.

Speaker 1

Sorry, I'm trying to put my hand down. Sorry.

Speaker 8

So okay. Um maybe a question here. So do we Have the ability to edit and finalize the report here in the meeting or is that something that we would have how many cycles would it take for us to go? and have another version then get this group to review it. Um does that then put us another two meetings out. Um I I kind of want to make sure we issue this report on a timely basis. We can Are we able to make edits here and finalize it?

Speaker 4

We can take all the input today and then Miss Pellegrino can sort it out and provide another draft. And then we can vote on that draft next meeting as a final, if you so desire. Or we can go through the, we can iterate again I agree with condensing it. I think more of a narrative approach where you kind of follow the course of the project. So for example, we convened and decided on a scope and then Explicitly stating that has value. And then we design questionnaires for both the executive branch and for the particular board or commission. We received those questionnaires back. What was the percentage of received versus not received? Then We moved on to interviewing. We interviewed again departments, various people, or and we interviewed the boards and commissions who Answered our call for an interview, who did not, what were those percentages, and then we moved to uh Setting up kind of an outline and then we move that to a TIG. The TIG consists of three people. Here's the details, the required details for the TIG Uh that's expected to that report is expected to come to this body today, I believe, isn't it? Or is it it was supposed to get presented today, right? Okay. We have that on the internal later. Okay, so then we say the report is expected on this date or this meeting And that's it. Like it's you know that's kind of a simple flow through the project. I think we put that down. We did we did look at more legislation or more ordinance, proposed ordinances than are included currently in this list, so maybe expanding that out a little bit. I do like the sunshine law and the governance because that's kind of been an ongoing theme through this year and I think we've got to the point where we had some action item on it last week or last meeting regarding

a letter. So putting that in is great. And then And the conclusion, what do we expect for the coming year is nice, and I think you can condense that down into a letter format uh rather than more of a formal report um framework.

Speaker 8

data right of like how who's responded, percentages, things like that. Is that information readily available to um technical writer Billy Greeno?

Speaker 2

Yeah, I I would probably err on the side of continuing to make it just marginally more general than trying to put in those Yeah, just you know, just acknowledging that we've got our scope, we designed our questionnaires, we've just you know we you know we've been just we are in the process of producing this report. This information will be in the report, you know, sooner than later. So um

Speaker 8

I I I tend to agree with that at the same time. Um I I'd like to Who's who's got the ban on some of the other ordinances then? Um Commissioner Spellman, is that would you be able to convey that information to for technical writer Pelegreen for inclusion?

Speaker 4

Oh, I think she's got it. I mean it was in all of our agenda, in the various agendas over the course of the year.

Speaker 8

Okay. Commissioner Moore.

Speaker 1

I think at this point I would recommend that we allow Commissioner Pellegrino to take our thoughts that we're discussing today and go in and make a revision and then come back and bring it back to us. I mean she's done this uh review a number of years and I think she knows exactly what we're asking for today. So I would ask her then to move it forward and she can send it out to us and then we can possibly vote on it uh at our next meeting.

Speaker 8

Any objections to that as a course forward on this? See none. All right, so then we'll um put discussion of the draft prepared by um our technical writer of the St. Report on the agenda for next meeting Um technical brighter filly green. Anything else that you need support-wise from this group on this? Um the other need for that.

Speaker 2

If I have any questions, I will reach out to you.

Speaker 4

Yeah. Does do we want to submit any suggestions? Sure Like if anyone has any suggestions for the for the report, they can submit them directly to Mistel Greeno

Speaker 8

Would it be helpful to put a date on that? Commission. I think we need to be able to do that.

Speaker 2

Next week. Yeah, you would need them. Our turnaround is tight again because of our next meeting. So I would say really by by next Wednesday at the the latest by March 25th.

Speaker 8

All right, comments due to technical writer by next Wednesday. And then we will have um review of that draft at our next meeting. Right? Um all right, we have about 15 minutes left. I do believe I was made aware that we might lose quorum potentially at 10 a. m. Um is that correct? Is there anything else? Any any any or or are we good to go through eleven o'clock? Does anyone have to leave earlier than eleven?

Speaker 7

Yeah, I I had emailed earlier I have a prior engagement um at the top of this next hour. So I can stay for a little bit after that hour, but Staying from 11 might be a challenge for the other thing.

Speaker 8

So then looking at the agenda, I think um we have discussion of the role and authority of permitted TIGs Investigative groups. We also have potential topics to review TIGs for the coming year. I suggest moving agenda item 11 to our next meeting of April 9th. So any future takes? So then maybe we can still discuss item 10 on the agenda today. Any objections to that Okay. So then I move to um move topic eleven to our next um agenda. That doesn't does that require a vote or are we good to go? Doesn't require vote.

Speaker 2

You don't need a vote.

Speaker 8

Perfect. So then item 10, discuss role and authority of permitted investigative groups under the sunshine law Um technical writer Pellegrino was there w is is this um whose agenda item was this?

Speaker 2

Uh this agenda item was uh requested by um Deputy Corporation Council Nunakov. All right. Council.

Speaker 5

Hello everyone. Uh last meeting. Uh

Speaker 8

I have a hard time hearing uh counsel. Is that just me or is it how about messaging? Said it again, sorry.

Speaker 6

How about now? Can you hear me better now

Speaker 8

Yes.

Speaker 6

Okay, cool. Uh sorry. So after last meeting I was uh made aware that my uh explanation might have gotten uh little uh Confusing, so we want to make sure that we're all on the same page uh when it comes to what uh tigs are allowed to do. So the TIG can go uh go out uh and with its membership go out uh come back together, del uh deliberate uh within the scope of its authority, uh and bring back uh if uh they create documents together, bring those documents back to uh the body um when they present that is allowed under the the tig. Um If a TIG isn't formed and it's just members of the body who are uh working with each other, uh you can do that if That stays to two people and no deliberation happens. So you can't uh create documents uh if a TIG is not created. So just wanted to uh clarify that TIGS can create documents. Um with things that fall within the scope of the authority granted at the first TIG meeting. That is the main draw of forming a TIG over um just investigating uh as two members uh otherwise The other thing I wanted to mention is that there are actually two types of permitted uh interaction groups under 92-2. 5 Um the the one that you folks are more familiar with, the TIG, and then there is one that uh OIP has referred to as uh negotiating uh permitted interactive group uh which is ninety-two-two point five um B two. Um And uh so the other um permitted interaction group is uh not That commonly used, but after speaking it over with OIP, they uh felt that um it's something that potentially could fit. Um this body's investigation. Uh that interaction group allows uh it doesn't have the same three meeting requirement as uh the TIG. It requires the body to come up with uh the scope of authority and the membership uh and a position of uh the body but it allows them to go out and um dis present discuss or uh negotiate that position um with uh the the various departments, etc. , and come back to the main body um without needing to have a formal presentation and the TIG dissolving. So you could theoretically go out to a department, uh do your surveys, uh and bring that information back to the body each uh meeting without needing to dissolve the TIG each time. So I think for for your purposes that would be more beneficial than uh the the More commonly used TIG.

Speaker 8

Got it. Thank you, Council. Commissioner Chamberlain. You're on mute, sorry about that.

Speaker 9

So uh The tricky part here with these the um whole idea of Of uh this is that under eight ninety-two-two three, defining a meeting is a convening of a board form to make a decision or

deliberate toward a decision how advisory oversight bodies should distinguish investigative fact finding from deliberation toward a decision under that definition. And that becomes, you know, within the sunshine law, that's one of the definitions that really differentiates everything. So what is considered a meeting? And then Basically that is anytime you go ahead and and put together a decision or deliberate toward a decision and you go ahead and Formulate that. Okay. That's the tricky part. So my whole thing that I've been talking about previously was trying to avoid the formality of going through a TIG and doing investigations with two-man team, but staying away from that definition of a meeting. Okay, so the way you can do that is I thought you can go ahead and create reports, and this is contradictory to what the corporate counsel is saying there as far as Actual documentation. So in investigation, normally you write in a third party and you just observe and report what you see You don't come up with a decision or deliberate towards a decision or make any kind of suggestions towards a decision And I don't see why you can't do that and stay away from the formality of going into a TIG. A TIG is another step level above, and then even within the TIG, you can't go ahead and come up with a decision or you get in this meaning meaning definition. Okay, so you have to stay away from that. And then only when you present that to uh the board then that becomes uh a point where you can go ahead and come up with a decision. But even the TI can't come up with a Basically, a suggestion towards moving towards a decision towards that particular subject. But anyway, the take is very defined relative to scope of work, and I'm just suggesting that we can do something outside of the tape, before the tape. So we have different steps and go through depending upon how we approach that. That makes sense?

Speaker 6

Counsel? Well the the TIG can uh create documents uh and make a recommendation that they believe that the body should vote for they they can't uh adopt uh something without the body, but they can create a document and recommend that the body uh adopts their recommendation after the fact Uh that that's the the main draw of the of the TIG, that you can create these documents that can be uh later adopted. Uh the the body would have to go over uh the recommendation and um You would want enough supporting uh evidence for why the body's adopting it. You you'd want that evidence in the record. Uh but that that is the the main benefit of the TIG that they can deliberate within the the TIG create a document that they then present to the body that the body votes on.

Speaker 8

Um question to counsel here. Can't what documents can a non-tag group prepare and bring to uh a commission. Anything that does not contain a recommendation is that Does that is that a valid document?

Speaker 6

They just can't come together. uh and deliberate over um w what they want in a joint document. As long as they're not creating a joint document, uh they should be fine. It's this um It's in order

to uh avoid that uh two member uh two two members uh Essentially uh coming to a agreement to vote in a particular way. Uh if you create a joint document, then the assumption is that you're you both would vote in favor of your joint document.

Speaker 8

Uh before I go to the room, sorry, Commissioner Chamberlain, does that is it does that meet your needs, the ability to create individual documents?

Speaker 9

Yeah, that's fine. Again, I'm going to challenge the corporate counsel there relative to permitted investigative groups under Sunshine Law. Permitted investigative group i. e. a TIG is less than a quorum subgroup of a board that is formally authorized to gather information report back but not deliberate toward a decision It exists under HRS 92-2. 5B, permitted investigation. So I just want to challenge him on that. Uh just think clarity on that. So relative to deliberating towards a decision, I'm not sure if he can do that. Unless there's something else in there that I don't see. Okay?

Speaker 6

So the prevention on the deliberation um is 92-2. 5a for the two members or less. There's that section at the end there that says as long as no commitment to vote is made or sought and the two members do not uh constitute a quorum of their board. The um TIG section, uh section uh B uh has that uh the the membership of the Tig uh may be assigned um to investigate a matter um relating to the board business uh as long as you go through the the meeting requirements And although it says investigate a matter relating to board business, investigation uh um has been found to include create uh uh investigating potential uh solutions to the problem. So uh investigation can include creation of a document where that the TIG comes back and and says uh Based on our investigation, we believe that this is a possible solution and we'd like to propose this document that the board uh may vote for uh at their third meeting That just has to be defined in the scope. Um and if the scope allows uh for it, it Doesn't need to be this it doesn't need to be specifically outlined that um they can create this document as if it fits within the scope, um then that is something that is the benefit of the TIG, that it doesn't have that um section preventing um this deliberation. Because it's not a formal adoption of uh the what they're creating.

Speaker 9

Well again I'm kind of I'm all about simplicity, okay? And effectiveness and efficiency. Okay. And I'm just throwing out some things here that get really convoluted relative to sunshine law, right? And so, you know, the discussion about how we move forward and so on and so forth, but it comes down to being challenged down the road later on Well, we obviously discussed it, right? And uh so again, it's up to the board to go ahead and establish rules and procedures relative to this. And so I've already submitted a form relative to the TIG and the steps relative to the TIG that can be followed within the board. processes, all right, and then relative to this outside

investigator group without, you know, the step before the tape doing these investigations relative to what's authorized under the charter relative to what the Costa Government Commission can do. Anyway, again, I'm I'm all about simplicity, you know, just get things done. That's why I hate this whole process because it's very confusing relative to sunshine law. It impedes any progress to a great degree. And it's it just it's contradictory to what should be working.

Speaker 8

Technical writer Pellegrino, you have your hand up.

Speaker 2

Thank you. I'm actually deferring to the county auditor.

Speaker 10

Maybe I can provide a little bit of clarity. With the uh Maui County Council. I think what the Deputy Corporation Council is referring to is like when two council members go to a presentation. So they go to this presentation, they collect materials, they bring it back, they summarize what was presented, and they give it and they present it to the full council at a council meeting There's no requirement for it to wait one meeting. They can just present it. But they don't call it a pig or pig or whatever. It's just a matter of people going to a seminar. Collecting the materials, do a short summary of what is said, and we're gonna back. There's no uh decision making, there's no recommendations, there's no uh that that type of thing and I think that's what the Deputy Corporation Council is referring to as the secondary or alternative type. But it really in my mind doesn't really um It's applicable to this group because your pigs or pigs are actually doing the collaboration of works and the findings and making recommendations. So I don't think it'll work for this body. That's just my opinion.

Speaker 4

It would it would it would have that framework would have worked for the interviews. So you had two-person interviews, you go out, you collect the data, the details. You put them together into a report jointly and then you submit it to the body. There's no recommendations, there's no anything, you're just submitting it for the record. It's now part of the project and then can be used. in the com in the confines of a of a temporary investigative group as well. So I think maybe to kind of straighten this out a little bit, like The sunshine laws are really geared towards communication protocol. And so that's divided into three groups. So there's the individual or four groups. There's the individual, and they can talk and they can write and they can do whatever they want. Then there is two or less. Those people can go and talk as long as they don't agree on a way to vote. But they can discuss a subject and then either of them can write up something and then submit it to the group as part of the record. Then there is less than quorum That requires a formal framework, the temporary investigative group, to go by themselves without any direction beyond what is agreed by the body as a scope. They do their work, they come back and they present their report, and then the body can either vote on their

recommendations, table it, you know, whatever the choices are. The and then there is quorum and greater. And that's the that's a full body and that's a decision making Um apparatus. So in that communication protocol, you discuss and then you vote And you move the work of the committee forward. I think that's really in a nutshell, that's what the sunshine laws are. Now we can operate multiple groups at the same time. regarding one particular subject. So if we have this, say, let's take the BCC project, for example. Two people can go out and do an interview. They can pull their information back in. Two people can go out and talk about a particular issue that maybe came up in the previous meeting and then create their own documents We can create a TIG, and then over the top of that TIG, you can have the main body, which is providing general feedback and guidelines. that people who are in the TIG are present at the meeting or can read the minutes and then take their cues from that without formally interacting with the Tig and the quorum or greater um body. So there's we can move all these pieces around together at different layers in one particular issue. And I think that's what the Sunshine Law just tries to create a parameters and framework for.

Speaker 8

Yep. It's a really great overview. Thank you, Commissioner Spellman. I'm also mindful that we are at 1005 and Commissioner Andrian is needing to go, so I suggest um we move to Adjourn the meeting, I do want to make sure if there are any agenda items that you have for next meeting to relay those to technical writer Pellegrino by also again next Wednesday. Would that be correct Commissioner um technical writer, do we know?

Speaker 2

That would be fine.

Speaker 8

Um I would I would invite you all to think about since it'll be our first meeting. So we'll be presenting Obviously on the on the take results, I will do the election of um the vice chair. Um We will I I think having an agenda item on there to talk about what are some of the projects that we want to embark on over the coming year Coming prepared with that, potentially putting some of those items on the agenda would be helpful. So it's an invitation to think ahead for the coming year. I think that would be a good agenda topic regardless is our next year plan. Any other agenda items before we that you already have awareness of that you want to bring up before we adjourn? All right, our next meeting is on April 9th. Um so then with that I move to adjourn the meeting

Speaker 7

Thanks, guys.